

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARIO WILSON,

Plaintiff,

v.

GARY WAKEMAN,

Defendant.

CASE NO. 3:23-cv-05931-JHC-GJL

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation (R&R) of Magistrate Judge Grady J. Leupold, Dkt. # 41, any objections to the R&R, responses, and the remaining record, does hereby find and ORDER:

- (1) Plaintiff did not object to the R&R. The Court has reviewed the R&R de novo. The Court ADOPTS the R&R except as to Parts IV.C and IV.D. The Court need not reach the issues of qualified immunity or whether Plaintiff has a cause of action for damages because Plaintiff's claims fail on the merits.
- (2) Defendant's Motion for Summary Judgment (Dkt. 26) is GRANTED, and Plaintiff's Motion for Summary Judgment (Dkt. 25) is DENIED.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendant, and to the Hon. Grady J. Leupold.

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DATED this 19th day of March, 2025.

John H. Chun
JOHN H. CHUN
United States District Judge